

TEMPORARY

NO. 63047

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office APR 17 1997
Returned to applicant for correction APR 29 1997
Corrected application filed _____
Map filed JUL 01 1997 under 63014

The applicant **Nevada First Corporation**, hereby makes application for permission to change the **place of use of a portion** of water heretofore appropriated under **Permit No. 29046 Certificate 8579**

1. The source of water is **an underground source**
2. The amount of water to be changed **1.10 cfs**
3. The water to be used for **irrigation and domestic use**
4. The water heretofore permitted for **irrigation and domestic use**
5. The water is to be diverted at the following point **unchanged NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, T.37N., R.40E., MDB&M or at a point from which the SE corner of said Section 30 bears S 43°24' E a distance of 3,613.0 feet**
6. The existing permitted point of diversion is located within the **NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, T.37N., R.40E., M.D.B.&M. or at a point from which the SE corner of said Section 30 bears S 43°24' E a distance of 3,613.0 feet.**
7. Proposed place of use **64.03 acres in Section 25, T.37N., R.39E., M.D.B.&M.**
8. Existing place of use **39.06 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, 40.00 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, 38.54 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, 39.41 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, 39.70 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, 39.10 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 39.41 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, and 38.81 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, all within Section 30, T.37N., R.40E., M.D.B.&M., a total of 314.03 acres (64.03 acres to be removed)**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **install pipeline and an irrigation system**
12. Estimated cost of works **in excess of \$10,000**
13. Estimated time required to construct works **90 days**
14. Estimated time required to complete the application of water to beneficial use **N/A**
15. Remarks: **The map filed under Application 63014 supports this application.**

By Desert Mountain Surveying as agent
John H. Milton III
s/ John H. Milton III
146 West Second Street
Winnemucca, NV 89445

Compared cl/jr cl/cms
Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the place of use of a portion of the waters of an underground source as heretofore granted under Permit 29046 Certificate 8579 is issued subject to the terms and conditions imposed in said Permit 29046 Certificate 8579 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 63040-T, 63041-T, 63042-T, 63043-T, 63044-T, 63045-T, 63046-T and 63047-T shall not exceed 581.72 acres.

The total combined duty of water under Permits 26484 Certificate 8529, 26968 Certificate 8530, 26970 Certificate 8531, 29042 Certificate 8575, 29043 Certificate 8576, 29044 Certificate 8577, 29045 Certificate 8578, 29046 Certificate 8579, 63040-T, 63041-T, 63042-T, 63043-T, 63044-T, 63045-T, 63046-T and 63047-T shall not exceed 7,360.0 acre-feet annually.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on November 19, 1998, at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.10 cubic feet per second, but not to exceed 192.09 acre-feet annually, and not to exceed a yearly duty of 3.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Application of water to beneficial use shall be filed on or before:

Proof of the application of water to beneficial use shall be filed on or before:

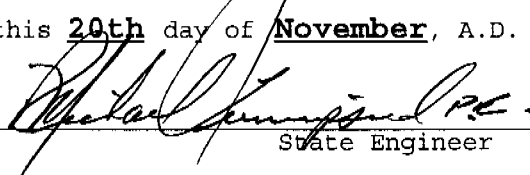
Map in support of proof of beneficial use shall be filed on or before:

TEMPORARY

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office,

this 20th day of November, A.D. 1997


State Engineer

EXHIBIT

EX-12 OCT 07 1998